

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Amendment of the Schedule)	
Of Application Fees Set Forth)	GEN Docket No. 86-285
In Section 1.1102 through 1.1107)	
Of the Commission's Rules)	
)	
)	
)	

ORDER

Adopted: July 1, 2002

Released: July 12, 2002

By the Commission:

1. By this action, the Commission amends its Schedule of Application Fees, 47 C.F.R. Section 1.1102 et seq., to adjust the fees for processing applications and other filings. Section 8(b) of the Communications Act, as amended, requires that the Commission review and adjust its application fees every two years after October 1, 1991.¹ The adjusted or increased fees reflect the net change in the Consumer Price Index for all Urban Consumers (CPI-U) of 40 percent, calculated from December 1989 to October 2001.² The adjustments made to the fee schedule comport with the statutory formula set forth in Section 8(b).

2. The following edits are being made to update administrative procedures issues:

a) At § 1.1104 Schedule of charges for applications and other filings in the Mass Media Services, at the heading, delete the words, "Mass Media Services" and insert the words, "media and cable services".

b) At § 1.1105 Schedule of charges for applications and other filings in the common carrier services, at the heading, before the words, "common carrier services" insert the words, "wireline and".

c) At § 1.1106 Schedule of charges for applications and other filings in the cable services, at the heading, delete the words, "cable services" and insert the words, "enforcement matters".

d) At § 1.1109 Payment of charges, at the Note following subparagraph (c), at the last sentence, change "See § 1.1118" to "See § 1.1119". At subparagraph (d), after the third sentence, add, "A forfeited

¹ 47 U.S.C. Section 158(b).

² The increase in the CPI-U between October 1999 (the month used to calculate the last CPI-U adjustment of its Schedule of Application Fees) and October 2001 is 7 percent. See Order in General Docket No. 86-285, FCC 00-286, and released August 4, 2000.

application fee will not be refunded.” At subparagraph (e), in the first sentence, change “§ 1.110(b)” to “§ 1.1116(b)”.

e) At § 1.1110 Form of payment, at subparagraph (a), in the first sentence, change “Visa or MasterCard” to “Visa, MasterCard, American Express, or Discover Card”. At subparagraph (a)(1), in the first sentence, change the words, “will be” to “are” and change the words, “by Public Notice” to “in Bureau/Office fee filing guides”. Delete the last sentence, “Applicants must submit a written request to the Commission for authorization to make electronic payments of a fee for applications and other filings, as follows.” At subparagraph (a)(2), delete the first sentence, “No electronic payment of an application fee will be accepted unless the payor has obtained the written authorization of the Commission to submit application fees electronically.” At subparagraph (a)(3), in the first sentence after the words, “will be accepted”, insert the punctuation and words, “;however, to insure proper credit, applicants must follow the instructions set out in the appropriate Bureau/Office fee filing guide”. Delete the second and third sentences, “Prior to making a payment by wire, the payor shall obtain the approval of the Managing Director or his designee. A completed FCC Form 159 shall be submitted to the Managing Director or his designee prior to initiating the wire transfer.”

f) At § 1.1111 Filing locations, subparagraph (c), after the last sentence, add “Payment received more than ten (10) days after electronic filing of an application on a Bureau/Office electronic filing system (*e.g.*, ULS) will be forfeited (*see* §§ 1.934 and 1.1109.)”

g) At § 1.1113 Return or refund of charges, at subparagraph (a)(1) after the first sentence, add “*See* § 1.1109.”

h) At § 1.1114 General exemptions to charges, at the first sentence, change “1.1106” to “1.1107”.

i) At § 1.1116 Penalty for late or insufficient payments, at subparagraph (a), in the first sentence, change “§ 1.1108(b)” to “§ 1.1109(b)”.

j) At § 1.1117 Petitions and applications for review, at subparagraph (c)(1), change “1.1105” to “1.1107”. At subparagraph (e), in first sentence, after “FCC Form 159” insert the punctuation and words “; or a request for deferral. A Petition for waiver and/or deferral of payment must be submitted to the Office of the Managing Director as specified in subparagraph (c), above. ” At the second sentence, change “1.1108” to “1.1109”.

k) At § 1.1119 Billing Procedures, at subparagraph (a), in the first sentence, change “1,1103” to “1.1103”.

3. Accordingly, IT IS ORDERED, that the Schedule of Application Fees, 47 C.F.R. Section 1.1102 et seq., IS AMENDED as set forth in the attached amendment, and will be published in the Federal Register to become effective on September 10, 2002.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary